McClay Alton, P.L.L.P.
Robert M. McClay #69620
(Pro Hac Vice)
951 Grand Avenue
St. Paul, Minnesota 55101
Telephone: 651-290-0301

Fax: 651-290-2502

Email: <u>law@mcclay-alton.com</u>

Marvin C. Ingber #0048859 (Pro Hac Vice) Attorney and Counselor at Law 6705 Apache Road Edina, Minnesota 55439-1001 Telephone: 612-327-8378 Email: mcingber@comcast.net

Attorneys for Defendants: JAMES B. PINTO REVOCABLE TRUST U/A DTD 12/1/03; and JAMES B. PINTO, individually and in his capacity as Grantor and Trustee for the James B. Pinto Revocable Trust

IN THE UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

SECURITIES INVESTOR PROTECTION
CORPORATION,
Adv. Pro. No

Plaintiff-Appellant,

v.

BERNARD L. MADOFF INVESTMENT SECURITIES LLC,

Defendant.

In Re:

BERNARD L MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

Adv. Pro. No.08-01789 (SMB)

SIPA LIQUIDATION

(Substantially Consolidated)

Adv. Pro. No. 10-04538 (SMB)

v.

JAMES B. PINTO REVOCABLE TRUST U/A DTD 12/1/03; and JAMES B. PINTO, individually and in his capacity as Grantor and Trustee for the James B. Pinto Revocable Trust,

Defendants.

AFFIDAVIT OF JAMES B. PINTO IN SUPPORT OF DEFENDANTS' COUNSEL ROBERT M. McCLAY AT THE LAW FIRM OF McCLAY•ALTON, P.L.L.P. AND DEFENDANTS' COUNSEL MARVIN C. INGBER FOR AN ORDER PURSUANT TO RULE 2090-1(e) OF THE LOCAL BANKRUPTCY RULES TO REMOVE BRUCE S. SCHAEFFER AS COUNSEL TO DEFENDANTS

STATE OF CALIFORNIA)

[Livetion = E) ss

COUNTY OF LOS ANGELES)

James B. Pinto, individually and in his capacity as Grantor and Trustee for the James B. Pinto Revocable Trust DTD 12/1/03 being first duly sworn under oath, deposes and states:

- 1. On or about March 2012, I terminated representation by Bruce S. Schaeffer ("Mr. Schaeffer").
- 2. On or about March 2012, I retained Robert M. McClay at the law firm of McClay•Alton, P.L.L.P. and Marvin C. Ingber as counsel in the above-captioned case.
- 3. Robert M. McClay and Marvin C. Ingber have been unable to obtain Mr. Schaeffer's cooperation to remove himself as counsel.
- 4. I have authorized this action to formally remove Mr. Schaeffer as attorney of record in this matter and to have him removed from all service lists.

08-01789-cgm Doc 9852-3 Filed 04/22/15 Entered 04/22/15 15:19:34 Affidavit of Defendants Pg 3 of 3

Dated: Los Angeles, California

Aprel 9 , 2015

By:

JAMES B. PINTO individually and in his
capacity as Grantor and Trustee for the James
B. Pinto Revocable Trust

Subscribed and sworn to before me

this g day of ___

dyna), 2015

Notary Public

DAVE BERGHOFF
Comm. #2013684
Notary Public-California
Riverside County
My Commission Expires
March 21, 2017